

ORDINANCE NO. A-429

WHEREAS, a petition was duly filed with the City Council of the City of Conway, Arkansas, on the 11th day of March, 1969, asking the City Council to vacate and abandon a certain alley lying within Block Four (4), Hendrix College Addition to the City of Conway, Arkansas, a more particular description of said alley being set forth in said petition and in Section One (1) of this ordinance; and,

WHEREAS, attached to said petition is a certified copy of the portion of the plat filed in the office of the Recorder of Faulkner County, Arkansas, showing the said alley in said Block Four (4), Hendrix College Addition to the City of Conway, Arkansas, together with the lot numbers of each lot which abuts on the said alley hereinafter described; and,

WHEREAS, after due notice, as required by law, the Council has, at the time and place mentioned in the notice, heard all persons desiring to be heard on the question, and has ascertained that said alley hereinabove mentioned and hereinafter described has heretofore been dedicated to the public use as an alley, and has not been actually used by the public generally for a period of at least five years subsequent to the filing of the above mentioned plat and before the filing of the above petition; that all the owners of property abutting upon said alley sought to be vacated have filed with the City Council their written consent to such abandonment; and that the public interest and welfare will not be adversely affected by the abandonment of said alley.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY (COUNCIL OF THE CITY OF CONWAY, ARKANSAS:

Section 1. The City of Conway, Arkansas, hereby releases, vacates and abandons all its rights, subject to the limitations and reservations in Section 2 hereof, together with the rights of the public generally, in and to the alley lying within Block Four (4), Hendrix College Addition to the City of Conway, Arkansas, a more particular description of said alley being as follows:

Not Passed

An alley situated within Block Four (4), Hendrix College Addition to the City of Conway, Faulkner County, Arkansas, and described as follows: Beginning on the West line of Jefferson Street and at the Southeast corner of Lot Two (2) of said Block Four (4), and running thence West along the South lines of Lots Two (2) and Three (3) of said Block Four (4), and to the East line of Washington Avenue and the Southwest corner of said Lot Three (3); thence running Sautheastwardly Twenty (20) feet to the Northwest corner of Lot Four (4) of said Block; thence running East along the North line of said Lots Four (4) and One (1) and to the West line of Jefferson Street; thence running No-th Twenty (20) feet to the place of beginning;

All of said property being as shown on Map of said City of Conway made by B. G. Wilson and filed for record in July, 1917.

Section 2. It is expressly provided that a perpetual right of way and easement on, over and under the said alley hereinabove described, with full right of ingress and egress at all times, and without cost or damage of any kind, is reserved and retained by the City of Conway for itself, its successors, assigns, lessees, lessors or licensees and for and on behalf of any person, firm, or corporation, heretofore or hereafter authorized by the City of Conway to operate and maintain any public utility within said City, for the purpose of entering upon said alley, and constructing, re-constructing, laying, re-laying, maintaining or repairingcf any pipes, mains, lines, poles or other appliances or appurtenances of any and all kinds, and the doing of any and all work necessary to be done in connection therewith, by any water, light, power, sewer, telephone, gas, or other public utility system belonging to or being operated by said City of Conway, or any agency thereof, or any of its lessees or licensees; or by any such water, light, power, sewer, telephone, or gas system, or other public utility owned or operated by any public utility company that has been heretofore or may hereafter be authorized by said City to operate and maintain any such public utility within the said City.

Section 3. A copy of this ordinance, duly certified by the City Clerk-Treasurer, shall be filed in the office of the Recorder of Deeds of Faulkner County, Arkansas.

Section 4. This ordinance shall take effect and be in force from and after its passage and publication.

PASSED: _____ day of April, 1969.

ATTEST:

APPROVED: _____

Mayor

Clerk-Treasurer

Not passed

CERTIFICATE

STATE OF ARKANSAS,

County of Faulkner.

I, Doris Nunn, City Clerk-Treasurer of the City of Conway, Arkansas, hereby certify that ~~the above~~ and foregoing is a true and correct copy of Ordinance No. A- 479, which ordinance was duly adopted by the City Council of the City of Conway, Arkansas, at a regular meeting of said Council, duly held on the ____day of April, 1969.

WITNESS my hand as such City Clerk-Treasurer and the seal of said City of Conway, on this ____day of April, 1969.

Clerk-Treasurer, City of
Conway, Arkansas